Mr. President: The question is that the Cochin Motor Vehicles Act (Amendment) Bill be taken up and finally passed on Monday.

Motion put and carried.

(vii) The Cochin Prohibition Act (Amendment) Bill

Mr. P. Govinda Menon *(Minister for Finance and Law):* Sir, I move that the Cochin Prohibition Act (Amendment) Bill be read in the Assembly.

Mr. E. Ikkanda Warriar *(Prime Minister):* I second it.

***Mr. P. Govinda Menon** *(Minister for Finance and Law):* This Amendment Bill seeks to make two small changes in the Cochin Prohibition Act. Those changes are the changes made on the Madras Model, in order to enable certain administrative action to be taken. Section 18 (b) of the Act restricts the exemption in the matter of transport to lawfull consignment of liquor carried by Railway administration, and it is necessary to remove this restriction and extend the exemption to all lawful consignments. Clause II of the Amendment Bill provide for this. Secondly there is no provision in the Act now for a person in a prohibition area to stock liquor and for issuing it to persons holding permits or licenses under the Act. Hon'ble members may be aware that even in areas where prohibition has been enforced for medical and other reasons, exemptions may be given to individuals. But under the law now there is no provision to enable anybody to stock liquor in order to be supplied to such exempted persons. The second amendment is for that purpose and the provision is made in clause 3. I therefore request the Hon'ble members to support this amendment so as to introduce this sub-clause as well.

Mr. C. V. Iyyu *(Kunnamkulam):* May I know, Sir, whether certain of these Ayurvedic druggs, Asavams and Arishtoms can be misused adding arrack and sending them to the prohibition area; will the Government find out some machinery to analyse this question?

Mr. P. Govinda Menon *(Minister for Finance and Law):* If there is such a type of abuse on a widespread scale Goverument will certainly look into it, but I think now the Hon'ble member is only referring to a possibility.

Mr. C. V. Iyyn *(Kunnamkulam):* Exactly possibility; but it thus goes on.

Mr. President: The question is that the Cochin Prohibition Act (Amendment) Bill be read in the Assembly.

Motion put and carried.

Secretary to the Assembly: The title of the Bill is the Cochin Prohibition Act (Amendment) Bill.

Mr. P. Govinda Menon *(Minister for Finance and Law):* Sir, this being a most non-controversial matter I request the Chair to suspend S. O. 32.

Mr. President: S. O. 32 is suspended'

Mr. P. Govinda Menon *(Minister for Finance and Law):* I move that the Bill may be taken into consideration.

Mr. E. Ikkanda Warriar : *(Prime Minister):* I second it.

Mr. President : The question is that the Cochin Prohibition Act (Amendment) Bill be taken into consideration.

Motion put and carried

Mr. President : The question is that clauses 2 and 3 stand part of the Bill.

Motion put and carried

Mr. President : The question is that clause 1 stands part of the Bill.

Motion put and carried

Mr. President : The question is that the title and preamble stand part of the Bill.

Motion put and carried

Mr. P. Govinda Menon *(Minister for Finance and Law):* I move that the Cochin Prohibition Act (Amendment) Bill be taken up and finally passed on Monday.

Mr. E. Ikkanda Warriar *(Prime Minister):* I second it.

Mr. President : The question is that the Cochin Prohibition Act (Amendment) Bill be taken up and finally passed on Monday.

Motion put and carried

(viii) The Cochin Succession Certificate Act (Amendment) Bill

Mr. P. Govinda Menon *(Minister for Finance and Law):* Sir, I move that the Cochin Succession Certificate Act (Amendment) Bill be read in the Assembly.

Mr. E. Ikkanda Warriar *(Prime Minister):* I second it.

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*Speech not corrected by the Hon'ble member.

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*Mr. P. Govinda Menon *(Minister for Finance and Law)*: Sir, this amendment of the Cochin Succession Certificate Act has been necessitated on account of the winding up of the Residency in the State. Hitherto if a resident in an Indian State dies and his heirs have to collect his effects outside the Indian State, it was the Resident who used to issue a succession certificate to the heirs and it was such a certificate alone which was recognised in the Indian Courts. Now after the accession of the Indian States to the Government of India, the Indian Succession Act has been amended. The result of the amendment is that the succession certificate issued by a District Court of an acceding State will be recognised by the Indian Courts; that is to say if any heir of a deceased person, say in Cochin State, gets a succession certificate either from the Anjikaimal District Court or from the Trichur District Court, those succession certificates will be recognised as valid documents in the Courts in the Indian territory and any payment to the holders of such certificates will be valid discharge of the effects of those who die.

The Government of India have requested the Cochin State to have a parellel legislation in Cochin in order that the certificates issued by the District Courts elsewhere may be recognised in Cochin. So this Bill seeks to do that. I hope the house will give its whole-hearted support to this Bill, because it is such a necessary piece of legislation.

Mr. President: The question is that the Cochin Succession Act (Amendment) Bill be read in the Assmebly.

Motion put and carried

Secretary to the Assembly: The title of the Bill is the Cochin Sucession Certificate Act (Amendment) Bill.

Mr. P. Govinda Menon *(Minister for Finance and Law)*: Sir, I say that S. O. 32 be suspended.

Mr. President: S. O. 32 is suspended.

Mr. P. Govinda Menon *(Minister for Finance and Law)*: Sir, I move that the Bill be taken into consideration.

Mr. E. Ikkanda Warriar *(Prime Minister)*: I second it.

Mr. President: The question is that the Cochin Succession Certificate Act (Amendment) Bill be taken into consideration.

Motion put and carried

Mr. President: The question is that clause 2 of the Bill stands part of the Bill.

Motion put and carried

Mr. President: The question is that clause 1 of the Bill stands part of the Bill.

Motion put and carrried

Mr. President: The question is that the title and preamble of the Bill stand part of the Bill.

Motion put and carried

Mr. P. Govinda Menon *(Minister for Finance and Law)*: I move that the Cochin Succession Certificate Act (Amendment) Bill be taken up and finally passed on Monday.

Mr. P. K. Krishnankutty Menon *(Vellarapilli)*: I second it.

Mr. President: The question is that the Cochin Succession Certificate Act (Amendment) Bill be taken up and finally passed on Monday.

Motion put and carried

The House stands adjourned till 3 p. m. on Monday.

The House rose for the day at 11-20 a. m.

N. I. OUSEPH
Secretary

*Speech not corrected by the Hon'ble member.

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APPENDIX IV

NOTIFICATION

Bill to be introduced in the Cochin Legislative Assembly

Under Rule 35 of the Cochin Legislative Assembly Rules, the following Government Bill, with the statement of Objects and Reasons, is published for general information.

The Cochin Motor Vehicles Act (Amendment) Bill

Preamble.—Whereas it is expedient further to amend the Cochin Motor Vehicles Act, V III of 1116; It is hereby enacted as follows:—

I. *Short title and commencement.*—(1) This Act may be called the Cochin Motor Vehicles (Amendment) Act, 112 .

(2) It shall come into force at once.

II. *Amendment to fifth Schedule.*—For the letters "C. S." now occurring in the fifth Schedule appended to the Cochin Motor Vehicles Act, VIII of 1116, substitute the letters "M. S., C. N."

Statement of Objects and Reasons

Under the fifth Schedule of the Cochin Motor Vehicles Act, VIII of 1116 the registration mark to be assigned to the vehicle by the registering authority has been specified to be the letters "C. S.". As a result of agreements entered into between the Indian Dominion and the States it has been decided to allot specific letters to the States who have acceded to the Indian Dominion. The letters allotted to this State under the Scheme are "M. S., C. N.". To give effect to this change in the letters to be used for registration the fifth Schedule of the Act has to be amended. Hence the Bill.

APPENDIX V

NOTIFICATION

Bill to be introduced in the Cochin Legislative Assembly

Under Rule 35 of the Cochin Legislative Assembly Rules the following Government Bill with the Statement of Objects and Reasons is published for general information.

The Cochin Prohibition Act (Amendment) Bill

Preamble.—Whereas it is expedient to amend the Cochin Prohibition Act, III of 1123, for the purposes hereinafter appearing; It is hereby enacted as follows.—

1. *Short title and commencement.*—(1) This Act may be called the Cochin Prohibition (Amendment) Act, of 112 .

(2) It shall come into force at once.

2. *Amendment of section 18.*—In the Cochin Prohibition Act, III of 1123, hereinafter referred to as the Act, in clause (*b*) of section 18, the words "by a railway administration" shall be deleted.

3. *Amendment of section 21.*—In section 21 of the Act—

(1) in clause (*b*) the word "and" occurring at the end shall be deleted;

(2) in clause (c) the word "and" shall be added at the end; and

(3) after clause (c), the following clause shall be added, namely.—

"(*d*) licenses to any person to possess liquor and issue it to those holding permits or licenses under this Act".

Statement of Objects and Reasons

There is no provision in the Cochin Prohibition Act, III of 1123, for a person in a prohibition area to stock liquor and issue it to persons holding permits or licenses under the Act. It is necessary to make such a provision. Further, section 18 (*b*) of the Act restricts the exemption of lawful consignments of liquor to those carried by railway administration. It is necessary to remove the restriction and extend the exemption to all lawful consignments. The Bill seeks to amend the Prohibition Act for the above purposes.

APPENDIX VI

NOTIFICATION

Bill to be introduced in the Cochin Legislative Assembly

Under Rule 35 of the Cochin Legislative Assembly Rules the following Government Bill with the Statement of Objects and Reasons is published for general information.

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The Cochin Succession Certificate Act (Amendment) Bill

Preamble.—Whereas it is expedient further to amend the Cochin Succession Certificate Act, VII of 1095; It is hereby enacted as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Cochin Succcession Certificate (Amendment) Act, of 112 .

(2) It shall come into force at once.

2. *Insertion of a new section.*—After section 15 of the Cochin Succession Certificate Act, VII of 1095, the following shall be inserted as section 15A, namely:—

"15A. *Effect of certificate granted or extended by a District Judge of the Dominion of India or of the acceding States* —Where a certificate in the form, as nearly as circumstances admit, of the schedule has been granted to a resident in the Dominion of India or within a State which has acceded to the Dominion of India, by a District Judge of the Dominion of India or of that State, or to a resident within a foreign State by the representative of the Dominion of India accredited to the State, or where a certificate so granted has been extended in such from by such Judge or Representative, the certificate shall, when stamped in accordance with the provisions of the Cochin Court Fees Act, II of 1080, with respect to certificates under this Act, have the same effect in the Cochin State as a certificate granted or extended under this Act."

Statement of Objects and Reasons

With a view to provide that the Succession Certificates issued by the District Judges in an acceding State shall have the same effect in the Provinces of India, section 382 of the Indian Succession Act, 1925, has been amended recently. The Government of India have requested this Government to undertake corresponding reciprocal legislation to ensure that the Succession Certificates issued by the District Judges in the Indian Provinces are likewise accepted in the State. It is necessary to amend the Cochin Succession Certificate Act, VII of 1095, for this purpose. Hence the Bill.

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